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January 25, 2010

VIA ECF

Hon. Ramon E. Reyes, Jr.
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Guzman v. VLM, Inc., Index No. 07-CV-1 126 (JG) (RER)

Dear Judge Reyes:

We represent the Plaintiff-class in the above referenced litigation. I write in furtherance of your January 14, 2010 Minute Entry, and as a follow-up to my January 25, 2010 status report regarding the six remaining “Disputed” class claims in this wage and hour class action.

In my January 25th letter (enclosed) I advised you that the parties had reconciled the claims of all but two of the disputed claimants. These four claimants agreed to accept defendants’ settlement offers, rather than try to obtain higher settlements. After I wrote to you, I mailed defendants’ counsel a proposed settlement agreement, which was nothing more than an abbreviated version of the May 2009 class action settlement agreement.

To date, defendants’ counsel has failed to respond to my repeated requests to sign the agreement and remit payment to these four claimants.

I apologize for having to waste Your Honor’s time with this application, however I respectfully request that you issue an order requiring defendants to remit the settlement payment within the next three business days, or show cause why they have failed to finalize the settlement despite our representations to the court to the contrary.

Respectfully submitted,

/s/Lloyd R. Ambinder

cc: Gary J. Dmoch (via ECF)
Joseph M. Labuda (via ECF)

LRA/